

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

Samarco Mineração S.A. - Em Recuperação  
Judicial,<sup>1</sup>

Debtor in a Foreign Proceeding

Chapter 15

Case No. 21-10754 (LGB)

**Related Docket Nos. 35, 38**

**REVISED NOTICE OF HEARING ON MOTION OF THE FOREIGN  
REPRESENTATIVE FOR ENFORCEMENT OF RJ PLAN**

**PLEASE TAKE NOTICE** that on September 19, 2023, the foreign representative and its affiliated debtor in this Chapter 15 Case (“Samarco” or the “Debtor”)<sup>2</sup> in the Debtor’s proceeding (the “Brazilian RJ Proceeding”) under Brazilian Federal Law No. 11,101 of February 9, 2005, as modified (the “Brazilian Bankruptcy Law”), by United States counsel, Cleary Gottlieb Steen & Hamilton LLP, filed the *Motion of the Foreign Representative for Enforcement of RJ Plan*, (the “Motion”) (ECF No. 35) in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) with respect to the Debtor. On September 28, 2023, Samarco filed the *Certificate of No Objection* (ECF No. 38) for the Motion.

**PLEASE TAKE FURTHER NOTICE** that the Bankruptcy Court has scheduled a hearing (the “Hearing”) to consider the relief requested in the Motion for **October 5, 2023 at 10:00 a.m.** (prevailing New York time). **The Hearing will be treated as an evidentiary hearing and conducted in hybrid format.** Case participants (*e.g.* debtors, creditors, trustees, and their attorneys, witnesses, and interpreters) may attend the Hearing in-person at One Bowling Green, New York, NY 10004, Courtroom 623 or via Zoom. **Members of the public (including media) who wish to observe the Hearing may only do so in-person. Anyone who plans to attend the Hearing (either in-person or via Zoom) must register by October 4, 2023 at 4:00 p.m. (prevailing New York time) at <https://www.nysb.uscourts.gov/ecourt-appearances>.**

**PLEASE TAKE FURTHER NOTICE** that copies of the Motion and accompanying exhibits are available to all parties in interest on the Bankruptcy Court’s Electronic Case Filing System, which can be accessed from the Bankruptcy Court’s website at <http://www.nysb.uscourts.gov> (a PACER login and password are required to retrieve a document) or upon written request to the Debtor’s counsel (including by facsimile or electronic mail) addressed to:

**Cleary Gottlieb Steen & Hamilton LLP**  
One Liberty Plaza

<sup>1</sup> The last four identifying digits of the Brazilian tax number for the Debtor are (Brazil – 01-61).

<sup>2</sup> Any capitalized term not defined herein shall have the meaning ascribed to such term in the Motion.

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**PLEASE TAKE FURTHER NOTICE** that the Hearing may be adjourned from time to time without further notice other than an announcement in open court, or a notice of adjournment filed with the Court, of the adjourned date or dates at the hearing or any other further adjourned hearing.

Dated: September 29, 2023  
New York, New York

CLEARY GOTTlieb STEEN & HAMILTON LLP

By: /s/ Thomas S. Kessler

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Judicial*

**PROCEDURES FOR ALL HEARINGS BEFORE JUDGE BECKERMAN**  
**BEING HELD BY ZOOM VIDEO**

The Zoom video hearing (the “Hearing”) held in connection with this notice will be conducted in accordance with the procedures contained herein.

With respect to Hearings that are evidentiary hearings or trials, the procedures contained herein are subject to, and do not limit, the terms of any pre-trial order, scheduling order, or other order regarding the Hearings.

These procedures have been modified to comply with the [revised policy](#), effective September 22, 2023, of the Judicial Conference of the United States concerning the public’s remote access to civil and bankruptcy proceedings (the “Revised Policy”). Under the Revised Policy, the press and other public attendees (“Public Attendees”) may only receive audio access to non-evidentiary Hearings when appearing remotely. For evidentiary hearings and trials, Public Attendees may not attend via remote means and should attend in-person in the courtroom. The Revised Policy does not affect the ability of case participants (e.g., parties-in-interest and their attorneys, witnesses, and interpreters) (“Case Participants”) from attending Zoom Hearings using the platform’s videoconferencing features.

All Case Participants and Public Attendees that wish to attend a Zoom Hearing (whether attending remotely or in-person) must register for the Hearing through the Electronic Appearance Portal (“eCourt Appearance Tool”) located on the Court's website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by the deadlines set forth in Sections 2 and 3 below.

**PROCEDURES**

1. **Audio and Videoconferencing Solutions.** The Hearing shall occur virtually using both audio and videoconferencing solutions as set forth herein. The Court shall utilize Zoom for Government (for audio and video purposes). The Court shall provide the Zoom link to the list of persons registered as Case Participants pursuant to the instructions set forth in Section 2 below and a Zoom dial-in number to Public Attendees who provide notice of their attendance to the Court pursuant to the instructions set forth in Section 3 below.
2. **Hearing Attendance by Case Participants.** All Case Participants must register for the Hearing through the eCourt Appearance Tool by no later than 4:00 p.m. (ET) one business day before the Hearing. Failure to register by the specified deadline will result in the Case Participant not being admitted to the Hearing. The Court will email the Zoom link to registered Case Participants after 4:00 p.m. (ET) one business day before the Hearing. Parties are strictly forbidden from circulating or sharing the Zoom link.
3. **Hearing Attendance by Public Attendees.** All Public Attendees who wish to dial-in to a Hearing where testimony is not expected must register for the Hearing through the eCourt

Appearance Tool by no later than 4:00 p.m. (ET) one business day before the Hearing. Failure to register by the specified deadline will result in the Public Attendee not being admitted to the Hearing. The Court will email the Zoom dial-in information to registered Public Attendees prior to the Hearing. Registered Public Attendees are strictly forbidden from circulating or sharing the Zoom dial-in information. Because Public Attendees cannot dial in to a Hearing where testimony is expected, Public Attendees may attend such a Hearing in person in the courtroom.

4. **Courtroom Formalities.** Although being conducted using audio and videoconferencing on Zoom, the Hearing constitutes a court proceeding, and any recording other than the official court version is prohibited. No participant or attendee of the Hearing may record images or sounds of the Hearing from any location. All parties appearing before the Court must situate themselves in such a manner as to be able to view the video screen and be seen by the Court. For purposes of this Hearing, the parties must observe the formalities of a courtroom.

5. **Submission of Exhibits and Demonstratives to Court.** If any of the parties intend to offer any exhibits at the Hearing or use any demonstratives at the Hearing, such party shall provide the Court (and file on ECF) a copy of the exhibits or demonstratives it will seek to use during the Hearing (either by offering it in evidence or using it for demonstrative purposes) no later than the deadline set forth in Judge Beckerman's Chambers Rules or the applicable scheduling or pre-trial order but in any event at least 24 hours before the Hearing.

6. **Checking in for Hearing.** Because of the Court's security requirements for participating in a Zoom for Government audio and video hearing, all persons seeking to attend the Hearing must connect to the Hearing beginning half an hour before the scheduled start of the Hearing and no later than ten minutes before the Hearing start time. Failure to connect to the Hearing at the indicated time may result in significant delays to the start of the Hearing. When signing into Zoom for Government, participants must type in the first and last name that will be used to identify them at the hearing, and the party they represent (i.e., Jane Doe, Debtor's Counsel). Participants who type only their first name, a nickname, or initials will not be admitted into the hearing. When seeking to connect for video participation in a Zoom for Government hearing, participants will first enter a waiting room in the order in which the participants seek to connect. Court personnel will admit each person to the Hearing from the waiting room after confirming the person's name (and telephone number, if a telephone is used to connect) provided to the Court in accordance with Sections 2 and 3 above. You may experience a delay in the waiting room before you are admitted to the Hearing. Once admitted, please turn off your video and mute the microphone on Zoom until the Court calls your matter.

7. **Retention of Jurisdiction.** The Court retains jurisdiction with respect to all matters arising from or related to these procedures.